

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

In re: FIRSTENERGY CORPORATION
SECURITIES LITIGATION

CASE NO. 5:03-CV-1684

JUDGE JAMES S. GWIN

This Document Relates to ALL ACTIONS.

DEFENDANTS' DESIGNATION OF EXPERTS

On April 14, 2004, this Court ordered Defendants to disclose, pursuant to Fed. R. Civ. P. 26(a)(2), the identity of persons who may be used at trial to present evidence under Rules 702, 703, or 705 of the Federal Rules of Evidence. Recognizing that this Court enjoys great latitude in crafting its pre-trial orders, Defendants nevertheless respectfully object to the April 14 order because of the unfair and unwarranted burden it places on Defendants given the complexity of the issues in this litigation. The Court's order puts Defendants in the anomalous position of having only one opportunity to designate experts without having the benefit of receiving the expert reports to which defense experts must respond. This serves to deprive Defendants of fair notice of the facts relied on and opinions offered by Lead Plaintiffs' experts and further serves to deny Defendants due process by requiring them to designate experts without knowing the facts relied on and substance of the expert opinions to which Defendants' experts will respond.

Notwithstanding its objection, Defendants hereby designate multiple expert witnesses as a necessary consequence of this Court's order to ensure that Defendants have the expertise and knowledge in their designated experts that may be required to address the substance of the expert opinions on which Plaintiffs will rely to prosecute their claims against Defendants. To the extent

that the April 14 order provides the only such opportunity for Defendants to identify experts to respond to the matters raised in Lead Plaintiffs' expert reports due to be filed on August 10, 2004, Defendants respectfully further object and reserve the right to designate additional experts, to file additional reports, and to supplement their experts' reports, if necessary, after being provided with Lead Plaintiffs' expert reports.

EXPERT	SUBJECT AREAS
Leonard J. Kujawa 2660 Peachtree Road NW Atlanta, Georgia 30305 (404) 239-9907	<p>Mr. Kujawa is expected to testify about FirstEnergy's restatement of earnings and accounting practices; considerations leading to the restatement of earnings; the differing accounting treatments underlying the restatement; FirstEnergy's regulatory compliance; the effect of the restatement of earnings on FirstEnergy's financial condition during the relevant time periods; the propriety of FirstEnergy's accounting and its compliance with applicable standards and law; and how all such matters relate to the alleged misstatements and omissions.</p> <p>Mr. Kujawa may also respond to the opinions of Plaintiffs' expert Hugh Larkin, Jr., depending on the matters raised in Mr. Larkin's expert report.</p>
Ernest L. Ten Eyck Senior Managing Director Ten Eyck Consulting 600 American Avenue Suite 104 King of Prussia, PA 19406 (610) 992-1600	<p>Mr. Ten Eyck is expected to testify about matters related to FirstEnergy's accounting practices and its financial disclosures during the relevant time periods; the restatement of earnings; the effect of the restatement on FirstEnergy's financial performance; FirstEnergy's regulatory compliance; the propriety of FirstEnergy's accounting and its compliance with applicable standards and law; amortization methods and treatment of above market leases; and how all such matters relate to the alleged misstatements and omissions.</p> <p>Mr. Ten Eyck may also respond to the opinions of Plaintiffs' expert Hugh Larkin Jr., depending</p>

	on the matters raised in Mr. Larkin's expert report.
Stan Garnett PA Consulting Group The Chrysler Building 405 Lexington Avenue, 38th Floor New York, NY 10174 (518) 424-5738	<p>Mr. Garnett is expected to testify about FirstEnergy's business performance as it relates to energy transmission and delivery and the prudence of FirstEnergy's business decisions in relation thereto; the economic and market forces affecting FirstEnergy's operations and performance during the relevant time period; assessment of FirstEnergy's business practices, operations, maintenance, planning, investment, performance and profitability as compared to standards in the industry during the relevant time periods; and how all such matters relate to the alleged misstatements and omissions.</p> <p>Mr. Garnett may also respond to the opinions of Plaintiffs' experts David A. Schlissel, Whitfield Russell, Eric Woychik, and Tom Besich, depending on the matters raised in their expert reports.</p>
Michael Beck PA Consulting Group The Chrysler Building 405 Lexington Avenue, 38th Floor New York, NY 10174 (518) 424-5738	<p>Mr. Beck is expected to testify about FirstEnergy's investment in transmission and delivery, operations and maintenance, and supporting systems during the relevant time periods, as a function of standard industry practice and as such matters relate to the alleged misstatements and omissions.</p> <p>Mr. Beck may also respond to the opinions of Plaintiffs' experts David A. Schlissel, Whitfield Russell, Eric Woychik, and Tom Besich, depending on the matters raised in their expert reports.</p>
Derek W. HasBrouck PA Consulting Group The Chrysler Building 405 Lexington Avenue, 38th Floor New York, NY 10174 (518) 424-5738	<p>Mr. HasBrouck is expected to testify about the state of FirstEnergy's transmission infrastructure, including operations maintenance and planning; standard industry practices; the foreseeability and causation of the power outage of August 14, 2003; and how all such matters relate to the alleged misstatements and omissions.</p>

	<p>Mr. HasBrouck may also respond to the opinions of Plaintiffs' experts David A. Schlissel, Whitfield Russell, Eric Woychik, and Tom Besich, depending on the matters raised in their expert reports.</p>
<p>Stephen R. Cieslewicz Chief Operating Officer and Principal Consultant CN Utility Consulting, LLC 10 Trumbull Court Novato, CA 94947 (415) 897-8883</p>	<p>Mr. Cieslewicz is expected to testify about utility vegetation management industry practices generally and as compared to FirstEnergy's vegetation management practices and policies and how such matters relate to the alleged misstatements and omissions.</p> <p>Mr. Cieslewicz may also respond to the opinions of Plaintiffs' experts David A. Schlissel, Whitfield Russell, Eric Woychik, and Tom Besich, depending on the matters raised in their expert reports.</p>
<p>Paul Appelt Vice President of Consulting Services ECI 520 Business Park Circle Stoughton, WI 53589 (608) 877—1170</p>	<p>Mr. Appelt is expected to testify about utility vegetation management industry practices generally and as compared to FirstEnergy's vegetation management practices and policies; and how such matters relate to the alleged misstatements and omissions.</p> <p>Mr. Appelt may also respond to the opinions of Plaintiffs' experts David A. Schlissel, Whitfield Russell, Eric Woychik, and Tom Besich, depending on the matters raised in their expert reports.</p>
<p>Dorian Conger Conger & Elsea, Inc. 9870 Highway 92, Suite 300 Woodstock, Georgia 30188</p>	<p>Mr. Conger is expected to testify about the foreseeability and causation of the power outage of August 14, 2003; matters related to transmission reliability; the impact of deregulation on the electricity grid; and how all such matters relate to the alleged misstatements and omissions.</p> <p>Mr. Conger may also respond to the opinions of Plaintiffs' experts David A. Schlissel, Whitfield Russell, Eric Woychik, and Tom Besich, depending on the matters raised in their expert reports.</p>

<p>Francis J. Delea 11415 West Road Roswell, GA 30075 (770) 645-4604</p>	<p>Mr. Delea is expected to testify about the foreseeability and causation of the power outage of August 14, 2003; the impact of deregulation on the electricity grid; matters related to regulatory compliance; usual and customary operations and performance metrics provided to utility boards and management; and how all such matters relate to the alleged misstatements and omissions.</p> <p>Mr. Delea may also respond to the opinions of Plaintiffs' experts Thomas A. Besich, Whitfield A. Russell, and David A. Schlissel, depending on the matters raised in their expert reports.</p>
<p>Bruce Wollenberg, Ph.D. Professor, Electrical and Computer Engineering Department University of Minnesota 200 Union Street SE. Room 4-174 Minneapolis, MN 55455 (612) 626-7192</p>	<p>Dr. Wollenberg is expected to testify about the maintenance, operations, planning and investment by FirstEnergy in its computer control systems, control room environment and operator training; how those matters compare to standard industry practices or guidelines; the foreseeability and causation of the power outage of August 14, 2003; and how all such matters relate to the alleged misstatements and omissions.</p> <p>Dr. Wollenberg may also respond to the opinions of Plaintiffs' experts Dr. Atif Debs, Whitfield Russell, David A. Schlissel and Thomas A. Besich, depending on the matters raised in their expert reports.</p>
<p>James T. Rhodes Director Duke Energy Corporation 526 South Church St. Charlotte, NC 28202-1904 (704) 594-6200 (Main number)</p>	<p>Mr. Rhodes is expected to testify about the Board of Directors' and senior management's oversight and control of the operation, maintenance, and safety of the Davis-Besse nuclear power plant; FirstEnergy's business decisions in relation thereto; information flows and content related to the operations of Davis-Besse provided to FirstEnergy; and how all such matters relate to the alleged misstatements and omissions.</p> <p>Mr. Rhodes may also respond to the opinions of Plaintiffs' experts Paul M. Blanch and Roger L. Staehle, depending on the matters raised in</p>

	their expert reports.
Jim O’Hanlon 444 Rivergate Drive Richmond, VA 23233 (804) 784-8014	<p>Mr. O’Hanlon is expected to testify about management’s oversight and control of Davis-Besse and its interaction with the Board of Directors and whether management acted prudently; materials and safety culture issues as they related to Davis-Besse and the nuclear industry and whether management acted prudently; and how all such matters related to the alleged misstatements and omissions.</p> <p>Mr. O’Hanlon may also respond to the opinions of Plaintiffs’ experts Paul M. Blanch and Roger W. Staehle depending on the matters raised in their expert reports.</p>
Kris R. Nielsen, Esq., PMP, MRICS Chairman of the Board The Nielsen-Wurster Groups, Inc. 719 Second Avenue, Suite 700 Seattle, WA 98104 (206) 386-5250	<p>Mr. Nielsen is expected to testify about matters related to management prudence regarding repairs and replacement energy for Davis-Besse; foreseeability and reasonableness of outage, maintenance, and energy replacement costs; issues regarding the design and function of the reactor pressure vessel head at the Davis-Besse nuclear power plant; and how such matters relate to the alleged misstatements and omissions and damages allegedly arising therefrom.</p> <p>Mr. Nielsen may also respond to the opinions of Plaintiffs’ experts Paul M. Blanch, Roger W. Staehle, and Dr. Scott Hakala depending on the matters raised in their expert reports.</p>
Ronald M. Latanision Ph.D. Exponent 21 Strathmore Road Natick, MA 01760 (508) 652-8500	<p>Dr. Latanision is expected to testify about matters related to boric acid corrosion at the Davis-Besse nuclear power plant and in the industry generally and FirstEnergy’s response thereto and how such matters relate to the alleged misstatements and omissions.</p> <p>Dr. Latanision may also respond to the opinions of Plaintiffs’ experts Paul M. Blanch and Roger W. Staehle, depending on the matters raised in their expert reports.</p>

<p>Roger Mattson, Ph.D. 481 Crawford St. Golden, Co. 80401 (303) 278-1406</p>	<p>Dr. Mattson is expected to testify about matters related to regulatory change, oversight and functioning of the Nuclear Regulatory Commission with respect to boric acid corrosion, emerging issues, and management oversight and control; issues regarding the design and function of the reactor pressure vessel head at the Davis-Besse nuclear power plant, and how all such matters relate to the alleged misstatements and omissions.</p> <p>Dr. Mattson may also respond to the opinions of Plaintiffs’ experts Paul M. Blanch and Roger W. Staehle, depending on the matters raised in their expert reports.</p>
<p>John Griffin Kestrel Group P.O. Box 954 Rehoboth Beach, Delaware 19971 (302) 266-4732</p>	<p>Mr. Griffin is expected to testify about the Davis-Besse nuclear power plant, how the Davis-Besse facility compared to industry practices, and how all such matters relate to the alleged misstatements and omissions.</p> <p>Mr. Griffin may also respond to the opinions of Plaintiffs’ expert Paul M. Blanch, depending on the matters raised in Mr. Blanch’s expert report.</p>
<p>H. Stephen Grace, Jr., Ph.D. President H.S. Grace & Company, Inc. 4615 Southwest Freeway, Suite 625 Houston, TX 77027 (713) 572-6800</p>	<p>Dr. Grace is expected to testify about matters related to FirstEnergy’s corporate governance; the prudence of actions of FirstEnergy with respect to the events and issues underlying Plaintiffs’ claims; matters of oversight and control by FirstEnergy regarding operations and financial disclosures; information processes and information content of FirstEnergy’s management and board in relation to industry standard practice; and how all such matters relate to the alleged misstatements and omissions.</p> <p>Dr. Grace may also respond to the opinions of Plaintiffs’ expert Hugh Larkin, Jr., depending on the matters raised in Mr. Larkin’s expert report.</p>

<p>David Martin, Esq. Covington & Burling 1201 Pennsylvania Ave. NW Washington, D.C. 20004-2401 202.662.5128</p>	<p>Mr. Martin is expected to testify about matters related to FirstEnergy’s corporate governance, the prudence of actions of FirstEnergy with respect to the events and issues underlying Plaintiffs’ claims; matters of oversight and control by FirstEnergy regarding operations and financial disclosures; regulatory compliance relative to accounting matters; information processes and information content of FirstEnergy’s management and board in relation to industry standard practice; and how all such matters relate to the alleged misstatements and omissions.</p> <p>Mr. Martin may also respond to the opinions of Plaintiffs’ expert Hugh Larkin, Jr., depending on the matters raised in Mr. Larkin’s expert report.</p>
<p>Christopher B. Barry, Ph.D. Professor of Finance and Maria Lowdon Chair in Business Administration M. J. Neeley School of Business Texas Christian University Box 298530 Fort Worth, TX 76129 (817) 257-7550</p>	<p>Dr. Barry is expected to testify about whether and to what extent Plaintiffs and the proposed class suffered any damages caused by Defendants’ alleged misstatements and omissions, including issues of materiality, reliance, loss causation, and damages under Section 10(b) of the Securities Exchange Act of 1934 and Section 11 of the Securities Act of 1933 and market valuation issues.</p> <p>Dr. Barry may also respond to the opinions of Plaintiffs’ experts Eric Stephens, Scott Hakala, and Eric Woychik, depending on the matters raised in their expert reports.</p>
<p>Kenneth Slater Slater Consulting 3370 Habersham Road, Atlanta, Georgia 30305 (404) 264-9160</p>	<p>Mr. Slater is expected to testify about utility investment and market valuation and the economics of deregulation; various macro and micro-economic issues related to FirstEnergy’s electricity infrastructure, operations, security and reliability, and business performance and profitability; replacement energy costs; and how all such matters relate to the alleged misstatements and omissions.</p> <p>Mr. Slater may also respond to the opinions of Plaintiffs’ experts Eric Woychik, Eric Stephens,</p>

	Scott Hakala, Thomas A. Besich, David A. Schlissel and Whitfield Russell, depending on the matters raised in their expert reports.
Colin Blaydon Professor of Management and Dean Emeritus Dartmouth College Tuck School of Business Hanover, NH 03755 (603) 646-3160	<p>Dr. Blaydon is expected to testify about utility investment and market valuation and the economics of deregulation; various macro and micro-economic issues related to FirstEnergy's electricity infrastructure, operations, security and reliability, and business performance and profitability; and how all such matters relate to the alleged misstatements and omissions.</p> <p>Dr. Blaydon may also respond to the opinions of Plaintiffs' experts Eric Woychik, Eric Stephens, Scott Hakala, David A. Schlissel, Thomas A. Besich, and Whitfield Russell, depending on the matters raised in their expert reports.</p>

Dated: June 5, 2004

Respectfully submitted,

/s/ Nathan A. Wheatley

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on June 5, 2004, a copy of the foregoing Defendants' Designation of Experts was filed electronically. Those attorneys who are registered with the Electronic Filing System may access this filing through the Court's system, and notice of this filing will be sent to these parties by operation of the Court's electronic filing system.

/s/ Nathan A. Wheatley